

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES CONTANT, SANDRA LAVENDER,
VICTOR HERNANDEZ, MARTIN-HAN TRAN,
FX PRIMUS LTD., CARLOS GONZALEZ,
UGNIUS MATKUS, CHARLES G.
HITCHCOCK III, JERRY JACOBSON, TINA
PORTER, AND PAUL VERMILLION on behalf
of themselves and all others similarly situated,

Plaintiffs,

v.

BANK OF AMERICA CORPORATION, *et al.*,

Defendants.

Case No. 1:17-cv-03139-LGS

[rel. 13-cv-7789-LGS]

ECF CASE

**NOTICE OF DEFENDANTS' MOTION TO DISMISS
UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6)**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, defendants Bank of America Corporation, Bank of America, N.A., Merrill Lynch, Pierce, Fenner & Smith Incorporated, The Bank of Tokyo-Mitsubishi UFJ, Ltd., Barclays Bank PLC, Barclays Capital Inc., BNP Paribas, BNP Paribas North America, Inc., BNP Paribas Securities Corp., BNP Paribas Prime Brokerage, Inc., Citigroup Inc., Citicorp, Citibank, N.A., Citigroup Global Markets Inc., Credit Suisse Group AG, Credit Suisse AG, Credit Suisse Securities (USA) LLC, Deutsche Bank AG, Deutsche Bank Securities Inc., The Goldman Sachs Group, Inc., Goldman, Sachs & Co., HSBC Holdings plc, HSBC Bank plc, HSBC North America Holdings, Inc., HSBC Bank USA, N.A., HSBC Securities (USA) Inc., JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., Morgan Stanley, Morgan Stanley & Co., LLC, Morgan Stanley & Co. International PLC, RBC Capital Markets, LLC, The Royal Bank of Scotland Group plc, RBS Securities Inc., Société Générale, Standard Chartered PLC, UBS AG,

UBS Group AG, and UBS Securities, LLC will move this Court, before the Honorable Lorna G. Schofield, on a date and at a time to be determined by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, for an Order dismissing the Consolidated Class Action Complaint in the above-referenced action with prejudice, in accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court deems appropriate.

Dated: August 11, 2017

Respectfully submitted,*

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* In accordance with Rule 8.5 of the S.D.N.Y. Electronic Case Filing Rules & Instructions, the parties hereto hereby represent that all Defendants listed below consent to the filing of this Notice of Defendants' Motion to Dismiss and the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss.

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